

# "Founced Out,"

Prices are on  
**FLUNCINGS**

The Greatest Bargains of the  
Season.  
Black Lace Flouncing:  
One lot at \$1.49.  
One lot at \$1.69.  
One lot at \$1.89.  
One lot at \$2.38.  
Guaranteed all Silk.

No reserves. They go  
as advertised.

**L. S. AYRES & CO.**

New Ideas Crowd-  
ing Out the  
Old.

Artistic  
in design,  
new in style,  
moderate in  
price.  
Variety  
abounds  
to satisfy  
every  
turn of  
fancy.  
We are  
business  
men of to-day,  
not  
yesterday.

**EASTMAN,  
SCHLEICHER  
& LEE**

CARPETS, DRAPERIES, WALL-PAPER.

The Largest House in the State

Kodaks, P. D. Q., Waterbury  
Detective, Montauk and Hawk-  
eye CAMERAS are greatly in  
demand at present. Those con-  
templating purchasing either of  
above should call on our store  
and receive complete instruc-  
tions how to use them so as to  
obtain the best results. The  
famous Hetherington Hand Cam-  
era will also be on sale shortly.  
Place your orders in time, as  
the demand on this camera has  
been unprecedented.

THE H. LIEBER COMPANY,  
23 South Meridian Street.

## FAST TYPE WRITING

8,000 words per minute. At a recent pub-  
lication of speed in the use of the type-writer  
and mimeograph combined, 516 words were  
written on the type-writer and 500 duplicated  
sheets of mass taken from the mimeograph in  
30 minutes and 5 seconds, making a total of  
255,000 words, or at the rate of 8,500 words  
per minute. We are sole agents here for the  
"Wonderful Mr. Secretary" and give full  
description and price sent on application.

**THE BOWEN-MERRILL CO**  
9 & 11 West Washington St.

## WAIT!

UNTIL  
FRIDAY, JUNE 12.  
\$3,000,000 SHOE FAULTURE  
45 Per Cent. Discount from  
Value.  
20 RETAIL SALESMEN WANTED.  
APPLY AT REAR DOOR.  
40 EAST WASHINGTON ST.

AFFAIRS OF BUSINESS MEN.

Grain Inspectors to Be Appointed and the  
Vacancy on the Governing Committee.  
The grain committee of the Board of  
Trade will meet this noon to select two  
grain inspectors whose names will be re-  
ported for approval to the governing com-  
mittee at a special meeting to be held next  
Monday night. It is probable that Albert  
Baker, the attorney, will be elected to the  
vacancy on the latter committee caused by  
the removal of George Breunert to Cincin-  
nati. Mr. Baker has been chairman of the  
law committee for several years, and one  
of the most active of the governing com-  
mittee. His failure to be elected was a matter  
of considerable regret. He was short but  
one vote and it is thought a casting vote  
due simply to an error on the part of a  
dozen or more members who intended to  
vote for him.

The Membership Increasing.  
The directors of the Commercial Club  
held their monthly meeting yesterday af-  
ternoon. The finance committee reported  
the adoption of plans for the new building,  
and the action was approved. The mem-  
bership committee reported having received  
eighty-five new members for the club dur-  
ing the past six weeks. The president,  
the chairman, said the number would be  
increased to one hundred before the com-  
mittee suspended work for the summer.  
The club now has a membership of about  
one thousand.

Enslay Beats the Record.  
The quarterly payment of pensions was  
completed at 3 o'clock yesterday afternoon,  
the work having been done, practically, in  
four and three-quarters days. Five thou-  
sand more pensioners than were ever before  
paid at this agency were disposed of this  
time, and the record is unequalled at any  
agency in the country. There were 3,500  
pensioners paid in person, the amount thus  
disbursed being \$121,477.35. The total num-  
ber paid by mail was 43,722, and the  
amount \$1,710,008.24. The total number  
of pensioners paid was 49,222, and the total  
amount \$1,831,485.59. Pension Agent En-  
slay has received a letter from Mrs. E. B.  
Alexander, of this city, returning the pen-  
sion papers of her mother, Mrs. Jane C.  
Grayson, who was a pensioner of the war  
of 1812, and who died two months ago.

Funeral of Miss Lutes.  
The funeral of Miss Mand Lutes took  
place yesterday afternoon from the res-  
idence of her parents, Mr. and Mrs. E. P.  
Lutes, on North Delaware street. Miss  
Lutes was only twenty-one and particu-  
larly gifted and lovable. She was taken  
ill about a year ago with la grippe and  
never recovered. Until six weeks ago she  
was with her parents at sister in Texas,  
hoping in that mild climate to recover.  
After returning she rapidly failed, and  
died Sunday.

Grace Bee Whitridge at Plymouth  
Church to-night.  
New hat-racks at Wm. L. Elder's.

## CANNOT GET INTO THE CITY

People's Gas Company Can Have No Right  
Others Do Not Enjoy Under Ordinance.

The City Attorney Says the Demand for More  
Natural Gas is to Be Met Through the  
Granting of No Special Privileges.

The People's Natural-gas and Light Com-  
pany, in the organization of which W. H.  
Tucker has been the prime mover, recd.  
a hard blow yesterday in the shape of an  
opinion from City Attorney Bailey. It is  
to the effect that the Board of Public  
Works cannot grant the company the right  
to lay mains through the streets of the  
city and at the same time exempt it  
from the operations of the ordinance re-  
quiring gas companies to supply  
all persons on their lines who make ap-  
plication. For months past Mr. Tucker  
and his associates have busied themselves  
in getting this company organized and ca-  
pitalized, feeling that it was about the only  
solution of the natural-gas problem,  
which has been agitating the residents of  
the outlying wards of the city ever since  
the fuel came into general use. They  
had despaired of securing the much-desired  
article in any other way, and their efforts  
to get the necessary amount of stock sub-  
scribed are well known. Their success in  
this direction, which was noted in the in-  
corporation of the company in question, with  
a capital stock of \$300,000, is also familiar  
to the readers of the daily papers. They  
were exceedingly anxious to begin the work  
of laying the mains at once and push it to  
completion by early fall, so that the gas  
might be available Oct. 1. With that purpose  
they petitioned the Board of Public Works  
for permission to commence and carry out  
the general ordinance on the subject. The  
board submitted the petition and contract  
to City Attorney Bailey, with an inquiry  
to whether such an agreement could be  
entered into without violating the provisions  
of the general ordinance on the subject.

The contract submitted was substantially  
the same as the general ordinance above  
referred to, except that it made the com-  
pany the duty upon all companies ac-  
cepting its provisions to furnish gas to all  
inhabitants along the line who may de-  
sire to use it, and at prices the maximum  
of which is stipulated in express terms.  
The questions asked of the city at-  
torney were if the corporation met in any  
degree be considered as quasi-pub-  
lic in character, can it be granted powers  
privileges and immunities substantially  
different from those granted to other com-  
panies? If, on the other hand, the com-  
pany be considered in the nature of a  
private corporation, a co-operative or-  
ganization—a number of individuals banded  
together for the purpose of supplying them-  
selves with gas—has the city the power or  
right to grant the occupancy and use of the  
streets for the object thus wholly private—  
one in which the public can have no con-  
cern?

A UNIFORM PRICE AND RESTRICTIONS.  
"It is well settled and sound of doctrine,"  
said the city attorney in his opinion, "that  
city authorities can exercise no power other  
than that derived from the Legislature,  
and that they can confer no privilege or im-  
munity on any one corporation or indi-  
vidual in scope or extent in degree than that  
they do upon all. It would, for example, be  
unlawful for them to say by ordinance or con-  
tract that a gas company doing business in  
the city should furnish fuel or light at  
one rate in the First and Second wards  
and at a higher rate in the Twenty-fourth  
and Twenty-fifth wards, or that one com-  
pany should be confined to certain territory  
under certain restrictions and another to a  
different portion of the city under different  
restrictions. All this would constitute  
legislation of a character so clearly special  
as to leave little doubt as to its invalidity.  
The law forbids the creation of monopolies.  
It is a well settled and sound doctrine,  
renewed emphasis from legislative and ju-  
dicial sources, that grants of special priv-  
ileges to corporations shall not be of an ex-  
clusive character. Doubtless a city may,  
by contract, bind itself for a limited time  
under proper limitations, with one com-  
pany for public purposes, though even this  
authority is being questioned. It has been  
admitted that the power to limit the city  
authorities the Council to limit the city  
contract for gas and to grant the  
contracting party the use of the streets,  
but it is denied that such authority  
carries with it the exclusive use for a de-  
termined period. It is to be noted that our  
Supreme Court has held that even the Leg-  
islature has the right—one which they have  
not attempted to exercise—under certain  
limitations to confer special privileges upon  
a corporate organization. Certain it is,  
however, that nothing less than direct  
legislation from the Legislature would con-  
stitute a valid grant of such a privilege.  
It will be useful in this connection to  
review somewhat a recent decision of our  
Supreme Court in which it was held that  
the city of Indianapolis is not authorized  
to confer special privileges upon a cor-  
poration. The case was that of the Elwood  
company vs. the town of Elwood, 114 Ind.  
322, it appears that the town trustees  
gave the Elwood Natural-gas and Oil Com-  
pany the exclusive privilege of laying  
mains and pipes for the purpose of sup-  
plying the town and its citizens with gas. The  
Citizens' Gas Company then sought  
a franchise for the same purpose. Being  
refused, it proceeded to dig trenches and pre-  
pare for the laying of its line without  
license. The town trustees then opened  
the trenches and invited the Citizens' Gas  
company to join them. Under the act of 1887,  
authorizing the organization of natural-gas com-  
panies, it is provided:

"That the boards of trustees of towns, and the  
common councils of cities, in this state shall  
have power to grant the exclusive privilege of  
supplying the town or city with natural gas,  
and to require persons or companies to whom the  
privilege of using the streets and alleys of such towns  
and cities is granted for the supply and distribu-  
tion of such gas to pay a reasonable license for  
such franchise and privilege."  
While the injunction was granted, owing  
to the utter absence of any franchise in the  
Citizens' Gas and Mining Company, Judge  
Elliot, in a most able and elaborate opin-  
ion, in the above case, and the opinion of  
the court, in the case of the Elwood com-  
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## MINOR CITY MATTERS.

To-Day's Doing.  
STATE MEDICAL SOCIETY—Y. M. C. A. Hall;  
9 A. M. and 2 P. M.

THE DEAF COMMUNICATE  
EXERCISES: 10 A. M.

PARK THEATRE—Clem C. Magee, "Irish Luck";  
afternoon and evening.

PLYMOUTH CHURCH—Miss Grace Bee Whit-  
ridge, reader; evening.

Local News Notes.  
Building permits were yesterday pro-  
cured by Mrs. Anna Brackman, cottage,  
Fletcher avenue, \$1,350; John W. Schmidt,  
store room, Court street, \$3,415.

Marriage licenses were yesterday granted  
Thomas Stevenson and Dollie Dorsey, Robert  
S. Allen and Mary E. Williams, John Mc-  
Fadden and Kate K. McFadden, William E. Mc-  
Fadden and Beatrice C. Pierson.

Mr. Flick, the county superintendent of  
schools, began yesterday the hearing of evi-  
dence in the matter of a petition of Jacob  
M. Hollingsworth and other citizens of  
Washington township for a change in a  
school-house. The latter, George W. Joseph  
Whittinger, is resisting the change.

Personal and Society.  
Mr. and Mrs. S. J. Brosh will remove to  
Columbus, O., next week to reside.  
Mrs. Margaret Holmes Bates is visiting  
her brother, Mr. Ernest, at Portage,  
Wis.

Miss Nellie Hawley will go to her home  
in Rochester, N. Y., next week, to spend the  
summer.

Mr. and Mrs. Howard Donner, of Al-  
bany, N. Y., are guests of relatives here for  
a short time.

Mr. and Mrs. Daniel Stewart and Mrs.  
Virginia Stewart, and daughter have returned  
from Martinsburg.

Miss Martha Johns, of Shelbyville, who  
has been the guest of F. H. Stoeneman,  
has returned home.

Mrs. W. H. Miller arrived yesterday,  
and is the guest of Mr. John B. Elam and  
family at No. 300 Park avenue.

Mr. Noble C. Butler, son and daughter have  
returned from a school week before last.  
Mr. Butler is a student of the University of  
Chicago.

The entertainment called "The War of  
the Roses" at the Central avenue  
Propyleum. The guests are asked to pre-  
sent their invitations and to attend at 8  
o'clock.

Mr. and Mrs. J. G. Thurler have returned  
from their wedding trip to Cataract.  
They will be at home June 12 and 13 to re-  
ceive friends with Mr. and Mrs. I. D. Gro-  
ver, No. 32 West Vermont street.

Invitations have been issued for an in-  
formal reception to be given in the in-  
terior of the McCall Mission, at the residence  
of Mr. John W. Carey, No. 600 North  
Meridian street, next Tuesday afternoon.

LESURE—CANNON.  
Special to the Indianapolis Journal.  
DANVILLE, Ill., June 9.—This evening, at  
the First Methodist Church, Miss Mabel  
Cannon, daughter of Congressman Joseph  
G. Cannon, and Ernest X. Lesure, as-  
sistant cashier of the Second National Bank,  
were married. The ushers were George  
Warfel, of Kansas City; Samuel Wickery,  
of Chicago; Frank Tincher, Edward Elliott,  
Charles L. Hawley and R. E. Toboy, of  
Danville. Promptly at 8 o'clock the church  
organ sounded the strains of Mendelssohn's  
Wedding March, and the bridal party en-  
tered the door of the church. A large  
number of friends were gathered to  
witness the ceremony. The six ushers  
were followed by the bride and groom,  
who were accompanied by the bridesmaids  
and groomsmen. The bride wore a  
large white gown, and the groom wore a  
dark suit. The ceremony was performed  
by the Rev. Mr. Lesure, who read the  
vows and pronounced them man and wife.  
The bride and groom then kissed, and  
the ceremony was concluded. The bride  
and groom then retired to their room.  
The wedding reception was held at the  
church, and a large number of friends  
were present. The reception was  
conducted by the bridesmaids and  
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success, and the bride and groom were  
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